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DEPARTMENT FOR SA/INS

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SUBJECT: MALDIVES: DEMOCRACY AND DHOONIDHOO

REF: COLOMBO 1549

Classified By: Ambassador Jeffrey J. Lunstead. Reason 1.4(b,d).

1. (C) Summary: Democracy and human rights themes dominated the DCM,s September 19-20 visit to Maldives to open the American trade fair. Government (GoRM) officials acknowledged they have a public relations problem with the detained Special Majlis members but argued that a serious investigation is warranted. The state of emergency may be lifted by the end of the month and the GoRM will sign an MOU with the International Committees of the Red Cross (ICRC) on October 5. The Maldives Human Rights Commission is struggling to distance itself from the GoRM and may soon issue a press statement on its observations on detainee abuse. The DCM visited detainees on Dhoonidhoo island and found conditions mixed. The GoRM needs to find a way to conduct a timely investigation without holding detainees indefinitely. The Ambassador will reinforce these points with President Gayoom in early October as well as urge continued progress towards democratic openness despite the disturbances of mid-August. End Summary.

GoRM Officials Outline Effort to Topple Government

2. (C) DCM traveled to Maldives September 19-20 to open the fifth annual U.S. trade fair on the capital island of Male,. In his opening speech, in addition to trade and economic themes, DCM stressed U.S. support for the democratic reform process undertaken by President Gayoom and expressed hope that the August 12-13 disturbances in Male, and their aftermath would not derail the process. He also called for humane treatment of the recent detainees in accordance with international norms. Defense Minister Ismail Shafeeu and Deputy Foreign Minister Hussein Shihab were in the audience and appeared somewhat chagrined by the public mention of democracy and detainees. On the other hand, quite a few businessmen and Maldivian chamber of commerce members told DCM and econ officer afterwards that they appreciated the remarks and expressed deep concern over the potential economic impact of continued political turmoil in Maldives.

3. (C) In September 20 meetings with Foreign Secretary Abdul Hameed Zakariyya, Chief Government spokesman Ahmed Shaheed, Defense Minister Ismail Shafeeu, Attorney General Hassan Saeed, all of the Maldivian officials mounted a vigorous defense of the need to thoroughly investigate all of those arrested in the wake of the August 12-13 disturbances (largely echoing Education Minister Shougee in his September 16 call on the Ambassador - reftel). The Attorney General (who is a strong advocate of political reform) shared with DCM a detailed readout of the investigation of Special Majlis member (and wealthy resort owner) Gasim Ibrahim. The AG said that the investigation reveals Gasim was deeply in debt and facing tax evasion charges. Thus, the AG said, it appears that Gasim was working to overthrow President Gayoom so that a subsequent government more favorably disposed to him could be installed. The AG said that several other detained Special Majlis members such as former AG Mohamed Munawwar and Ibrahim Hussain Zaki also appeared to be motivated by financial difficulties and problems with various GoRM regulatory agencies.

4. (C) The working GoRM investigative theory at this point is that these financially beleaguered Special Majlis members found common cause with the detained "fundamentalist" Sheikh Ibrahim Farid who, GoRM interlocutors told DCM, wants to overthrow Gayoom,s "secular" government for religious reasons. The AG and Defense Minister both said that investigators were working their way through text messages from the detainees, cellphones which show a clear pattern of coordination among Special Majlis members themselves and between them and Farid to turn the August 12-13 demonstration into a violent event which they hoped would lead to the toppling of Gayoom,s government. Describing the GoRM,s views of the kind of government Farid envisions for Maldives, Foreign Secretary Zakariyya underlined that Farid was deeply opposed to GoRM gender equality efforts and had publicly condemned the GoRM decision to work with the U.S. to open an "American Corner" in Male,.

5. (C) The investigations are being overseen by a Ministerial committee consisting of AG Saeed, Defense

Minister Shafeeu and Education Minister (also acting Justice Minister) Shougee. The AG and Defense Minister both readily acknowledged to DCM (as Shougee did to us last week) that the image of "detained parliamentarians" is a terrible one for Maldives and were grappling with how to rectify that situation while still proceeding with what they maintain is a crucial and well-justified investigation. (All either explicitly or tacitly admitted that Foreign Minister Jameel's confrontational performance with the EU chiefs of mission team had been a disaster.) President spokesman Shaheed vigorously assured DCM that President Gayoom wants to see the Special Majlis back in session as soon as possible but realized that it would be a sham without the presence of the imprisoned Special Majlis members. "We're balancing investigative needs against our commitment to democratic progress," Shaheed stated. The DCM suggested to all GoRM interlocutors that consideration be given to moving the Special Majlis members back to Male, and putting them under some looser form of control while the investigation continues. All took the point but the Defense Minister noted, "they'll start sending text messages to each other again and we'll be back to square one."

State of Emergency to be Lifted Soon?

16. (C) Both the Attorney General and the Defense Minister told the DCM that the state of emergency which allowed for detention without charge would hopefully be lifted by the end of September (although a decision had not yet been made and they asked that the end of September goal not be publicized now). One reason the state of emergency remained was GoRM concern that it might be needed to prevent more violence during the mid-September anniversary of the prisoner's death on Maafushi prison island which triggered large-scale unrest a year ago. (GoRM officials told the DCM that there had indeed been an "anniversary disturbance" on Maafushi September 18. The AG said he had visited the next day and observed that prisoners had smashed toilets and doors. Prison officials had told him that the prisoners pelted guards with burning rags tied around bricks. The AG claimed that prison officials had purposely refrained from quelling the disturbances to avoid any possibility of injuring prisoners.) The AG told DCM that as soon as the state of emergency is lifted all remaining detainees would be charged in court and provided legal counsel.

Getting on Board with the ICRC

17. (C) Foreign Secretary Zakariyya told the DCM that the GoRM, realizing its record on detentions was open to criticism and that it had to do better, had decided to sign an MOU with the ICRC which would allow access to prisons and let the ICRC train prison officials. (In a subsequent phone call after DCM returned to Colombo, Zakariyya said the ICRC rep from New Delhi will sign the MOU with the GoRM in Male, on October 5.

Human Rights Commission Finding Its Legs

18. (C) In his meeting with the DCM September 20, Maldivian Human Rights Commission Chairperson Ahmed Mujuthaba (who, in his capacity as vice president of the Maldivian Chamber of Commerce, shared the podium with DCM at the trade fair opening) said that the GoRM had, in response to a commission request for information, informed him that as of September 16 there were 76 Maldivians still in detention in the wake of the August 12-13 disturbances. 201 had been originally detained, Mujuthaba said, of whom 26 were under the age of eighteen. Mujuthaba said he found the GoRM argument that the Special Majlis members were conspiring against the government less than convincing.

19. (C) Regarding treatment of the detainees, Mujuthaba shared with DCM text of press statement which the Human Rights Commission may release in the near future regarding treatment of detainees in the immediate aftermath of August 12-13 (full text below). Mujuthaba expressed frustration that issuing a commission press release would be largely a formality since "the media here could never run it." He also acknowledged that the commission had a credibility problem since it had been formed by the GoRM and said he was seeking ways to gradually distance the commission from the GoRM both in staffing and funding. "We need to get in line with the Paris Principles" on human rights commissions, Mujuthaba conceded.

Mixed Conditions for Dhoonidhoo Detainees

10. (C) Following up on Education Minister Shougee's invitation to visit detainees (reftel), DCM arranged via the Foreign Ministry to travel to the detention facility on Dhoonidhoo Island (visible from Male,) on the afternoon of

September 20. In the presence of police official Abdulla Riyaz and warden Ibrahim Manik, DCM held individual interviews, limited to conditions of detention and treatment, with eleven Special Majlis members (Mohamed Munawwar, Gasim Ibrahim, Ibrahim Hussain Zaki, Mohamed Naseem Ibrahim, Ahmed Athif, Ahmed Shafeeq, Ahmed Adil, Ali Faiz, Ilyas Hussain Ibrahim, Hussain Rasheed Hassan and Ibrahim Ismail). Detainees were brought one-by-one to a pavilion near the dock to meet the DCM.

11. (C) From the eleven separate Special Majlis interviews (officials would not permit a group interview to avoid giving the detainees the opportunity to compare notes on their investigations), a number of conclusions were clear. All said that general conditions were decent given that Dhoonidhoo is a detention facility. Food is adequate (several told DCM that their meals had been modified to address dietary and medical concerns). All were granted weekly access to a military doctor and received any prescribed medications, with more frequent medical attention if needed. (Former AG Munawwar, a diabetic, said the officials were arranging for him to get a glucometer. Ibrahim Ismail, on crutches from childhood polio, said the administration tried to accommodate his physical limitations.) None of them said they had been subjected to any physical abuse on Dhoonidhoo. All had received at least one guard-supervised thirty-minute spousal visit since their mid-August arrests.

12. (C) Most of the Special Majlis members said they had not been abused while held at police headquarters in Male, immediately after their detentions and before their transfer to Dhoonidhoo, although several complained of being made to sit rigid on hard chairs overnight. One Special Majlis member, however, said he had been blindfolded, handcuffed and beaten "during the first night in Male,."

13. (C) Beyond food, medical care and the absence of physical abuse on Dhoonidhoo, however, the detainees had a number of complaints and most showed no reluctance in expressing them. Specifically, the detainees are kept alone in their small cells almost constantly with no opportunity for exercise. They are let out only to do laundry or to meet with investigators (several tents have been set up in which the investigators meet with detainees). Moreover, the detainees are allowed no reading material except for the Koran. Almost all complained of the resulting boredom and lack of intellectual stimulation. Clearly, steps are taken by the administration to keep the detainees away from each other; they are not allowed to speak or shout to each other on the rare occasions when their paths do cross. One described the "solitary confinement" in small cells and lack of reading material as "emotional and mental torture." Several said they were depressed and dispirited. Hussain Rasheed Hassan told DCM "the isolation is breaking me" and, in tears, said he needed to "see a counselor." "Psychologically, I,m not well." Gasim Ibrahim, described as emotional and tearful by the EU team which visited him in August, told DCM he was "feeling better." Several detainees expressed anger at not being allowed to see their children or to make phone calls to them ("My children have been told I,m on a business trip to Colombo but constantly ask why I don,t call."). One Special Majlis detainee said non-parliamentarian August 12-13 detainees on Dhoonidhoo were being treated more harshly than Special Majlis members.

14. (C) After the interviews, the DCM was allowed to tour the holding areas. Mohamed Munawwar, Gasim Ibrahim and Ibrahim Hussain Zaki are being kept in reasonably sized rooms with regular doors. They are allowed to walk around in very small courtyards in front of their rooms under supervision. (The warden said the three were being housed better than other Dhoonidhoo detainees on specific instructions from President Gayoom.) The rest of the detainees are kept in individual concrete blocks perhaps eight by eight feet in area, with a rustic toilet facility off the one room. The doors are metal grills. Some of the female prisoners share cells. New detention facilities are under construction on Dhoonidhoo on a rush basis. Several detainees complained about "around the clock construction noise" and paint fumes.

Snail,s Pace of Investigations -----

15. (C) All of the Special Majlis detainees expressed frustration with the nature and pace of the GoRM,s investigation (the DCM,s minders were not particularly assiduous in enforcing the "conditions of detention only" conversation guideline). Several said that they had been shown charge sheets after being arrested in Male, which said they were being held for unlawful assembly but that subsequent conversations with investigators had been exclusively on other topics. Others had had almost no interaction with investigators ("I,ve been here almost forty days and have met with investigators for ten minutes. What kind of investigation is that? The government has an

obligation to investigate me if they think I,m trying to topple Gayoom but they need to get on with it.") A majority of the Special Majlis members said they were convinced the government did not really suspect them of trying to topple the government but rather was holding them for political reasons, probably in connection with their July 19 walkout from the first Special Majlis assembly after it became clear that the selection of the speaker would not be by secret ballot. Several noted that it was ridiculous for them to be accused of fomenting violence during the August 12-13 events since they had only come to the gathering to help calm things down at the request of the government.

The Latheef Sisters

16. (C) The DCM was also permitted, at his request, to hold separate interviews on Dhoonidhoo with Jennifer Latheef (age 31) and Maanee Latheef (age 23), the two detained daughters of Maldivian Democratic Party (MDP) leader Mohamed Latheef, a frequent Embassy contact in Colombo. Both looked physically well and were extremely animated in their conversations with the DCM. They said that conditions on Dhoonidhoo were decent but that their treatment before arriving on the island had been bad. Both were arrested at home, along with four others, on August 14 and kept overnight at police headquarters in Male,. They said they were handcuffed and blindfolded the entire time, even when taken to the toilet. Both women said they were slapped, beaten and subjected to "sexual touching" during the night.

17. (C) Both sisters said they were then placed in a boat, still handcuffed and blindfolded, and taken to Girifushi island, the site of a police training facility in North Male, atoll. (The GoRM has said it was overwhelmed with detainees in the immediate aftermath of August 12-13 and could not put them all at Dhoonidhoo or Maafushi. There are no more Girifushi detainees, according to the GoRM.) Both Latheef sisters said they were subjected to kicks and punches during the boat transit and threatened with being thrown into the ocean. They were held on Girifushi for eight days during which time, both said, they and other detainees were handcuffed almost constantly ("if they took them off our wrists, they put them on our ankles") and made to sleep on the ground. They said their "aunt" had been "sexually threatened" on Girifushi. (We have heard from a Sri Lankan contact that Mohamed Latheef has stated some female prisoners - not his daughters - were raped. We cannot confirm or deny that allegation.)

18. (C) The Latheef sisters, descriptions of life on Dhoonidhoo largely paralleled those of the Special Majlis members. Neither reported physical abuse since their arrival. Both women had received regular medical attention (Jennifer said she had wrist problems from prolonged handcuffing as well as leg and back pain from being kicked and beaten and had asked to see a back specialist) and adequate food. They said most of the female detainees were sharing cells and that there was a limited number of female guards ("some of the women who had abused us on Girifushi were brought in for a while which we were not glad to see.") The sisters had the same complaints about constant confinement in small cells and the lack of intellectual stimulation. They had received a visit from their brother (detained with them on Girifushi but released after several days there). Both said their infrequent sessions with investigators had been largely devoid of substance ("we, re here because of our father"). Jennifer said the notion that she had been inciting violence was laughable. "The police have the entire event on video. They can clearly see that I was trying to calm the crowd down and keep it from attacking the police station."

Aftermath of Dhoonidhoo Visit

19. (C) Before leaving Dhoonidhoo, the DCM shared his observations with the warden and the police official present during the interviews. While some basic human needs were being met, it was clear that the cramped quarters and lack of conversation and reading material were beginning to take a toll. He urged that the detainees be allowed out of their cells for regular exercise, be provided with regular reading material and allowed visits and phone calls with their children. Both said they would convey these observations to their superiors. In phone conversations with Foreign Secretary Zakariyya and Presidential spokesman Shaheed after

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returning to Colombo, the DCM made the same observations and also passed along the general detainee frustration with the slow pace of investigations. The DCM stressed that to his layman,s eye it seemed clear that several of the prisoners might be in need of psychological attention. Both officials (neither of whom have ever been to Dhoonidhoo) expressed appreciation for the observations and undertook to see what

could be done. The DCM called MDP leader Mohamed Latheef on September 21 to share his observations about Latheef's daughters and to convey some messages. Latheef expressed his appreciation for the U.S. concern.

Comment

20. (C) Things in Maldives seem to be at an impasse. The officials with whom the DCM met acknowledge that the detainee issue, aggravated by the Foreign Minister's bungling of the EU chief of missions visit, have put the country in a terrible light. At the same time, they (especially the young, energetic Attorney General) clearly passionately believe that a serious attempt to topple the government was afoot and that it must be carefully investigated. They seemed receptive to the point that there must be some way to alleviate conditions of detention while still conducting a timely, thorough investigation. The Ambassador plans to pursue these themes with President Gayoom in early October (we are sorting out Gayoom's availability).

21. (C) The accounts given by detainees to the DCM obviously could have been influenced by the presence of government officials. Indeed, we were reluctant to accept any arrangement other than private interviews but went ahead primarily so the detainees would be aware of U.S. and general outside concern about their welfare (the EU and the Maldivian Human Rights Commission have interviewed detainees under the same arrangements as ours). None of the detained Special Majlis members came across as anything but patriotic Maldivians who want to see more democracy and transparency in their society although, again, the presence of government officials certainly could have served to stifle anti-Gayoom sentiments. Nor did any of them appear to be serious coup plotters or "fundamentalists" (although FM Jameel told DCM in a brief conversation that he intends to present a memorandum on fundamentalism when he visits Washington at the beginning of October).

22. (C) As described above, conditions on Dhoonidhoo appeared adequate in some areas with clear room for improvement in others. It seems clear, however, that detainees held temporarily on Girifushi were subject to abuse and that some detainees also had a rough time in detention on Male, immediately after their arrests. Government officials seemed sincere in their concern about the welfare of the Dhoonidhoo detainees (the GoRM willingness to let outsiders see detainees and the decision to cooperate with the ICRC are also encouraging). A useful bellwether may be whether the Human Rights Commission press release on detainee abuse (full text follows) ever sees the light of day in Male, (we have heard it may have been released since our visit - we're checking).

23. (C) Begin text of draft Maldivian Human Rights Commission press release:

On 23rd August, 2004 a Commission team met 19 of the 59 detainees in Dhoonidhoo and 21 in Maafushi. Except in cells where there were more than one detainee the meetings were individually held. They were asked whether there was any torture during and after apprehension, about food, about medical care and other basic services. In Dhoonidhoo there was video recording and several police officials present. In Maafushi although camera was absent there were several police officials present. Because of the police presence, and in one island video recording, there is doubt about detainees having said what they really wanted to say. It is likely that they did not say what they wished to say to avoid further trouble or penalty.

From what was said at these meetings, except in the arrest of one special Majlis member, there were, generally, reports of excessive use of force during apprehension, in the initial detention in Male' blindfolding, handcuffing and ankle cuffing in some instances. They reported while they were held liked that there was hitting with batons, boots, pinching pushing and some men's beards being pulled. In some instances men and women reported sexual abuse. Extensive verbal abuse reported. Some said while some of these were being inflicted there were some officials pleading for restraint. They also reported that while being transferred to Girifushi in the night, at sea, although they were strapped with life jackets, they were handcuffed, blindfolded and the officials on board harassed them. They also reported that some officials at Girifushi treated them kindly but when they said this, some of those officials were present. When the Commission team met them, all these detainees had already been transferred from Girifushi to Dhoonidhoo and Maafushi according to Police. In general, the conditions were satisfactory. However in Maafushi the accommodation was bad as most were kept four to a tiny cell. There was no cross-ventilation in the cells and the surrounding high wall trapped and increased the heat during the day. These cells were unsuitable for keeping people.

The Commission noted that although there were several detainees in Dhoonidhoo that there were no female guards present. It also noted reports of some detainees being diabetic, others having psychiatric problems and yet the absence of permanent medical staff on the island. It also noted that some cells had two detainees and there was discrimination in the accommodation of the detainees.

The Commission expresses its concern about the torture during the apprehension and after, while being kept in Male', and wishes to state that these acts were inhumane.

The Commission recommends that there be an independent inquiry into what took place during the arrests and what happened after in detention.

End Text.
LUNSTEAD